

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

TANYA MCCARTNEY and MARK
MONTGOMERY III, Individually and as
Administrators of the ESTATE OF K.M.,

Plaintiffs

v.

KIDS2, INC. f/k/a KIDS II, INC. and
KIDS2, INC. d/b/a, t/a, a/k/a INGENUITY

Defendants.

CIVIL ACTION NO. 3:21-cv-166

ORDER

AND NOW this _____ day of _____, 2023, upon consideration of the Unopposed Petition to Approve Allocation of Settlement of Wrongful Death and Survival Action filed by Petitioners Tanya McCartney and Mark Montgomery III, Co-Administrators of the Estate of their deceased minor child, K.M., it is hereby ORDERED and DECREED that settlement in the gross present value of _____ is approved as follows:

- a. To: Kline & Specter, PC
(attorneys' fee)
- b. To: Kline & Specter, PC
(reimbursement of litigation costs)
- c. To be held in escrow pending resolution
of any lien identified by the PA DHS*
- d. To be distributed evenly between
Tanya McCartney and Mark Montgomery III
as Wrongful Death Damages
- e. To be distributed to K.M.'s Estate as Survival
Damages

- * Funds held in escrow that are not expended for the specified purpose of lien resolution will be divided and distributed to the Survival Act claim and to the Wrongful Death Act claim.

BY THE COURT:

, J.